

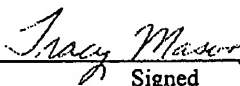
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NOV 21 2007

SP 1665.1

## CERTIFICATE OF TRANSMISSION UNDER 37 CFR §1.8

I, Tracy Mason, hereby certify that this paper, totaling 6 pages, is being transmitted by FACSIMILE on November 21, 2007 to the United States Patent and Trademark Office for facsimile telephone number: (571) 273-8300.

  
Signed

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/682,223  
Filing Date: October 9, 2003

Examiner: Helen Chu  
Art Unit: 1745

Applicant: Schubert et al.  
Title: Non-aqueous Cell with Improved Thermoplastic Sealing Member

Attorney Dkt No.: SP-1665.1 US

PETITION FOR EXTENSION OF TIME AND  
CORRECTIVE AMENDMENT PURSUANT TO 37 CFR § 1.116

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Amendment is being filed under 37 CFR § 1.116, in accordance with the requirements of 37 CFR § 1.121. The applicant also hereby requests a three month extension of time in which to respond to the Office Action dated May 24, 2007. Notably, because November 24 is a Saturday and November 25 is a Sunday, the period for responding within the three month extension period ends on November 26, 2007. You are hereby authorized to charge the \$1050 for this action, respectively pursuant to 37 CFR §§ 1.17(a), along with any other charges deemed proper and necessary for entry of this Amendment in view of applicable USPTO regulations, to Deposit Account No. 05-1325.

In order to correct an obvious clerical error made without any deceptive intent, entry of the items identified below is requested:

- Corrected Affidavit of Mark A. Schubert Pursuant to 37 CFR 1.132

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Applicant: Schubert et al.  
Application No.: 10/682,223  
**Amendment**  
Page 2

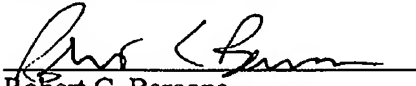
- Petition for Extension of Time

Applicants believe the corrected affidavit under 37 CFR §1.132 is appropriate and necessary. Specifically, in the original affidavit dated March 9, 2007, the affiant inadvertently transposed (and thereby misidentified) the current application and a published application cited by the examiner in paragraph 2 of that affidavit. Because of this error, it could be possible for a person to misconstrue the import and intent of that affidavit. Accordingly, entry of this paper is appropriate under 37 CFR § 1.116 because it will, at a minimum, clarify a central issue for the appeal, particularly to the extent that it is the applicants contention that the teachings of the prior art have been applied in a manner that is inconsistent with the expectations someone skilled in the art would otherwise have.

In view of the foregoing, entry of the enclosed papers and/or, to the extent the examiner may have misconstrued the affidavit of March 9, 2007, reconsideration and allowance of the claims of record is hereby requested.

Respectfully submitted,

Date: 11/21/07

  
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